

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

FILED - CLERK
U.S. DISTRICT COURT
05 JUN 27 PM 2:53
TX EASTERN - BEAUMONT
BY *Debra McMillan*

DONELL WILLIAMS, #1129379 §

VS. § CIVIL ACTION NO. 9:04cv273

WILLIAM SHERMAN, ET AL. §

ORDER OF DISMISSAL

Plaintiff Donell Williams, an inmate confined at the Polunsky Unit of the Texas prison system, proceeding *pro se* and *in forma pauperis*, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983. The complaint was referred to United States Magistrate Judge Harry W. McKee, who issued a Report and Recommendation and Supplemental Report and Recommendation concluding that the complaint about food should be dismissed. The plaintiff has filed objections to both the Report and Recommendation and Supplemental Report and Recommendation.

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the plaintiff, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections by the plaintiff are without merit. Therefore the Court adopts the findings and conclusions contained in the Report and Recommendation. It is accordingly

ORDERED that the complaint is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1). It is further

ORDERED that all motions not previously ruled on are hereby **DENIED**.

SIGNED this 22-1 day of June, 2005.


RON CLARK
UNITED STATES DISTRICT JUDGE